IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.No. 4794 of 2006

Date of decision : 14.9.2006.

Gram Panchayat Barnala.

.....Petitioner.

Versus

Teja Singh.

.....Respondent.

CORAM : HON'BLE MR. JUSTICE VINOD K. SHARMA

Present : Mr. Bhag Singh, Advocate,
for petitioner.

Mr. Arvind Singh,Advocate
for the caveator/respondent.

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VINOD K. SHARMA,J.(ORAL)

This revision petition has been filed against orders dated 2.8.2006 and 18.8.2006 passed by the learned Courts below granting injunction in favour of the respondent-plaintiff restraining the Gram Panchayat from interfering in the construction being raised by the plaintiff-respondent on his plot.

The learned counsel for the petitioner contends that there is a *gali* of 22 ft. on the South which the respondent is trying to encroach upon. Both the Courts below have held that no construction is being made on *gali* but on his own plot. There is no other material on record to support the contention of the learned counsel for the petitioner that any construction is being raised except that the village Gram Panchayat has passed certain resolution which is contrary to the report of the Halqa Patwari and Local Commissioner and affirmed by the Tehsildar. However, the only

apprehension of the petitioner is that in view of the order passed by the Civil Court it would not be open to the Gram Panchayat to get the *gali* vacated. That contention is misconceived. The plaintiff-respondent has been allowed to raise construction on his own plot.

Therefore, there is no error or illegality in the order passed by the Courts below which may call for interference by this Court under Article 227 of the Constitution of India.

Dismissed.

September 14,2006 **(VINOD K. SHARMA)**
'sp' **JUDGE**